

PURSUANT TO CHAPTERS 91 AND 92, HAWAII REVISED STATUTES, AS AMENDED; NOTICE IS HEREBY GIVEN OF A PUBLIC MEETING OF THE MAUI COUNTY BOARD OF VARIANCES AND APPEALS (BVA)

Members: Trisha Egge (Chair), Stephen West (Vice Chair), Jeffrey Borge, William Kamai, Emmanuel Baltazar, Ivan Lay, Caron Green, Charlene Shibuya

AGENDA

DATE: **October 14, 2021**
TIME: 1:30 p.m.
PLACE: Online only via BlueJeans; **Meeting ID: 599 380 392**

A. CALL TO ORDER

No public testimony will be received. To listen to the meeting via phone, dial 1-888-748-9073 (toll free) or 1-408-915-6290 or 1-408-740-7256 and enter code 599 380 392.

To watch the meeting use meeting link:
<https://bluejeans.com/599380392>

ALL VIEWERS MUST KEEP THEIR MICROPHONE AND CAMERA/VIDEO MUTED AT ALL TIMES.

The CHAT function may not be used to contact Board Members, or other meeting participants, for commenting on the agenda items, or other matters.

B. PUBLIC HEARING (*Continued from September 23, 2021*)

PAUL L. HORIKAWA on behalf of **SHERMAN DUDLEY DEPONTE** requesting a variance from Maui County Code **§16.04C.010, §16.04C.440, §16.04C.470 “Fire Code”**: For a property located at 17529 Haleakala Highway, Kula, Maui, Hawai'i, TMK: (2) 2-3-013:052 (BVAV 2019/0007) (C. Rabago)

1. §16.04C.010 to allow a service road with a grade of between 21 percent and 27 percent whereas the NFPA 1 adopted by the National Fire Protection Association and implemented by the Maui County Code, Section 16.04C.010 requires that the grade of service roads shall not be greater than 14 percent;
2. §16.04C.440 to delete the requirement that service roads to the proposed properties have a clear width of 20 feet, that any dead-end roads or cul-de-sacs have a clear width of 32 feet and if greater than 150 feet in length, with an approved fire apparatus turn-around and that all turns and turnarounds have an outside turning radius of 35 feet;
3. §16.04C.470 to delete the requirement that the owner provide fire protection and water service that is set forth in Maui County Code, Section 16.04C.470, that requires that the owner provide fire protection and water service in accordance with standards, which are described in the letter from the County of Maui, Department of Public Works dated December 4, 2014, to wit, 1,000 gallons of water per minute for a 2 hour duration;

4. §16.04C.470 to allow a fire hydrant to be located at Haleakala Highway whereas Maui County Code, Section 16.04C.470, requires fire hydrant spacing of 500 feet between hydrants and that at least 1 fire hydrant be located within 500 feet of any building to be constructed and that dead ends have a fire hydrant within 250 feet;

[Variance Application](#)

[Staff Report](#)

[Public Testimony](#)

[Department of Fire & Public Safety's Memo Request to Defer
September 23, 2021 BVA Meeting](#)

C. NEXT MEETING DATE: October 28, 2021

D. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH ITS ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES, PURSUANT TO SEC. 92-5 (a)(4), HRS.

ANY PETITION TO INTERVENE AS A FORMAL PARTY IN THE PROCEEDINGS BEFORE THE BOARD MUST CONFORM TO RULE 12-801-18, RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF VARIANCES AND APPEALS, AND BE FILED WITH THE BOARD AND SERVED UPON THE APPLICANT WITHIN A REASONABLE TIME BEFORE THE MEETING IN WHICH THE SUBJECT MATTER OF THE INTERVENTION IS TO BE HEARD. THE ADDRESS OF THE BOARD IS NOTED BELOW.

THOSE PERSONS REQUESTING SPECIAL ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CALL THE DEPARTMENT OF PLANNING AT 270-7735 (MAUI) OR 1-800-272-0117 (MOLOKAI) OR 1-800-272-0125 (LANAI) OR NOTIFY THE DEPARTMENT OF PLANNING IN WRITING AT ONE MAIN PLAZA, 2200 MAIN STREET, SUITE 315, WAILUKU, MAUI, HAWAII 96793 OR BY FAX NUMBER 270-7634 AT LEAST SIX (6) BUSINESS DAYS BEFORE THE SCHEDULED MEETING.

PLEASE NOTE: If any member of the Board is unable to attend the scheduled meeting, please contact the Department of Planning at least one day prior to the meeting date. Thank you for your cooperation.

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